

ORDINANCE NO. 2007 -008

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO ADD TEXT WITH REGARDS TO THE DESIGNATION OF CORRIDORS IN NEED OF MASTER PLANS); AND THE **MAP SERIES** (TO MODIFY THE FUTURE 2020 ROADWAY SYSTEM BY NUMBER OF LANES, MAP TE 1.1, AND THE THOROUGHFARE RIGHT OF WAY IDENTIFICATION MAP, MAP TE 14.1, TO REMOVE THE SEGMENTS OF **UNIVERSITY DRIVE AND RIVERSIDE DRIVE** BETWEEN PALMETTO PARK ROAD AND LOX ROAD; AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearing on April 13, 2007 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 18, 2007 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June

1 29, 2007 which was the Department's written review of the proposed
2 Comprehensive Plan amendments; and

3 **WHEREAS**, on August 27, 2007 the Palm Beach County Board of County
4 Commissioners held a public hearing to review the written comments
5 submitted by the Department of Community Affairs and to consider
6 adoption of the amendments; and

7 **WHEREAS**, the Palm Beach County Board of County Commissioners has
8 determined that the amendments as modified satisfy the concerns
9 addressed in the Department of Community Affairs' "Objections,
10 Recommendations and Comments Report" and comply with all requirements
11 of the Local Government Comprehensive Planning and Land Development
12 Regulation Act.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
14 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

15 **Part I. Amendments to the 1989 Comprehensive Plan**

16 Amendments to the text of the following Elements of the 1989
17 Comprehensive Plan are hereby adopted and attached to this Ordinance
18 in Exhibit 1:

19 **1. University Drive & Riverside Drive TIM & 2020**

20 **A.** Transportation Element, to add text with regards to
21 the designation of corridors in need of Corridor Master Plans;

22 **B.** Map Series, Future 2020 Roadway System by Number of
23 Lanes (Map TE 1.1) and Thoroughfare Right of Way Identification
24 Map (Map TE 14.1), to remove segments of University Drive and
25 Riverside Drive between Palmetto Park Road and Lox Road.

26 **Part II. Repeal of Laws in Conflict**

27 All local laws and ordinances applying to the unincorporated area
28 of Palm Beach County in conflict with any provision of this ordinance
29 are hereby repealed to the extent of such conflict.

30 **Part III. Severability**

31 If any section, paragraph, sentence, clause, phrase, or word of
32 this Ordinance is for any reason held by the Court to be
33 unconstitutional, inoperative or void, such holding shall not affect
34 the remainder of this Ordinance.

1 Part IV. Inclusion in the 1989 Comprehensive Plan

2 The provision of this Ordinance shall become and be made a part
3 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
4 Ordinance may be renumbered or relettered to accomplish such, and the
5 word "ordinance" may be changed to "section," "article," or any other
6 appropriate word.

7 Part V. Effective Date

8 The effective date of this plan amendment shall be the date a
9 final order is issued by the Department of Community Affairs or
10 Administration Commission finding the amendment in compliance in
11 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
12 applicable. No development orders, development permits, or land uses
13 dependent on this amendment may be issued or commence before it has
14 become effective. If a final order of noncompliance is issued by the
15 Administration Commission, this amendment may nevertheless be made
16 effective by adoption of a resolution affirming its effective status,
17 a copy of which resolution shall be sent to the Florida Department of
18 Community Affairs, Division of Community Planning, Plan Processing
19 Team. An adopted amendment whose effective date is delayed by law
20 shall be considered part of the adopted plan until determined to be
21 not in compliance by final order of the Administration Commission.
22 Then, it shall no longer be part of the adopted plan unless the local
23 government adopts a resolution affirming its effectiveness in the
24 manner provided by law.

25 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
26 Beach County, on the 27th day of August, 2007.

27
28 ATTEST:

29 SHARON B. BOCK, CLERK
30 & COMPTROLLER

31 PALM BEACH COUNTY, FLORIDA,
32 BY ITS BOARD OF COUNTY COMMISSIONERS

33
34 BY Judith Crossie BY Addie L. Greene
35 Deputy Clerk Addie L. Greene, Chairperson

36 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
37 [Signature]
38 COUNTY ATTORNEY

39
40 Filed with the Department of State on the 4th day of
41 September, 2007.

EXHIBIT 1

A. Transportation Element, University Drive & Riverside Drive TIM & 2020

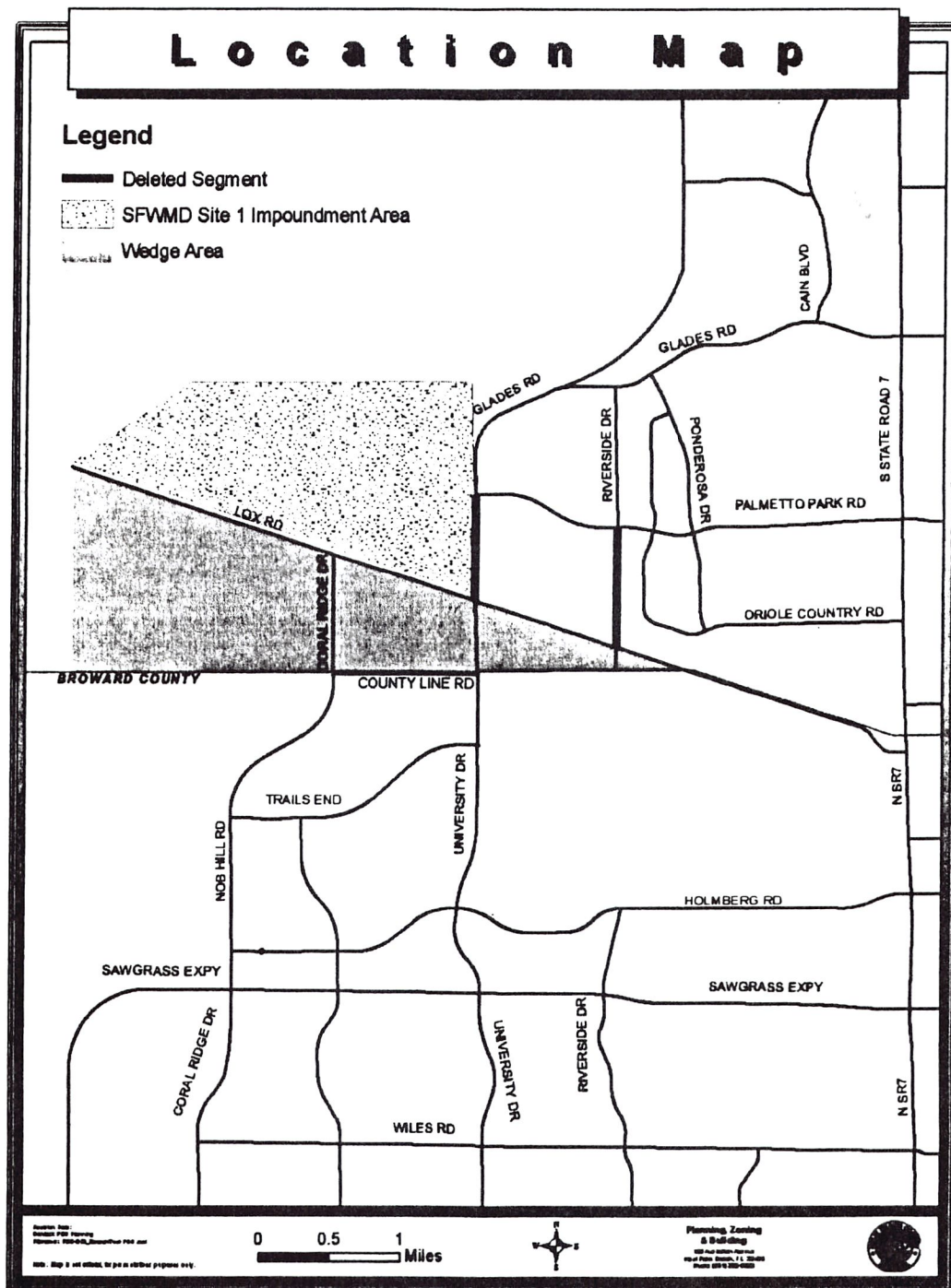
REVISIONS: To add text with regards to the designation of corridors in need of master plans. The revision is shown with the added text underlined.

Policy 1.1-n: Buildout Analysis: In corridors where the adopted LOS may not be achieved pursuant to the 2025 Transportation System for Palm Beach County Highway Component prepared by the Palm Beach MPO, the County will institute a process to develop individual Corridor Master Plans to address each projected corridor failure. The ULDC shall provide specific guidelines for buildout analysis and specific timelines for the completion of the Corridor Master Plans. *(unaltered text omitted for brevity)*

- S.R 7 from Hillsboro Canal to Glades Road
- Glades Road from S.R. 7 to Lyons Road
- Lyons Road from Hillsboro Canal to SW 18th Street

B. Map Series, Future 2020 Roadway System by Number of Lanes (Map TE 1.1) & Thoroughfare Right of Way Identification Map (Map TE 14.1), University Drive & Riverside Drive TIM & 2020

REVISIONS: Remove University Drive & Riverside Drive from Lox Road to Palmetto Park Road from the TIM & from the 2020 Roadway System Map



STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, SHARON R. BOCK, Clerk and County
 certify this to be a true and correct copy of the original
 filed in my office on August 27, 2007
 dated at West Palm Beach, FL on 9/18/07
 By: Quane Braxton
 Deputy Clerk